

**DECEMBER 6, 2007**MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION****07 C 6896**

Diann Blackwell  
4595 Washington Rd. 2-a  
College Park, GA 30349

Plaintiff,

v.

NCO Financial Systems, Inc.  
c/o C T Corporation System,  
Registered Agent  
208 S. LaSalle Street, Suite 814  
Chicago, IL 60604

Defendant.

CASE NO.:

JUDGE:

**JUDGE ASPEN  
MAGISTRATE JUDGE COLE****COMPLAINT FOR DAMAGES  
UNDER THE FAIR DEBT  
COLLECTION PRACTICES ACT  
AND OTHER EQUITABLE RELIEF****JURY DEMAND ENDORSED HEREIN****JURISDICTION AND VENUE**

1. Jurisdiction is founded on 28 U.S.C. §1331 pursuant to the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692. Venue is proper in this district because Defendant resides in this district under 28 U.S.C. § 1391.

**FACTS COMMON TO ALL COUNTS**

2. The Plaintiff is a person who incurred a consumer debt primarily for personal, family or household purposes.
3. Defendant is a corporation doing business primarily as a consumer debt collector.
4. Defendant is a debt collector as defined by the FDCPA, 15 U.S.C. §1692a(6).
5. The Plaintiff is a "consumer" as defined by 15 U.S.C. §1692a(3).
6. The debt in question qualifies as a "debt" as defined by 15 U.S.C. §1692a(5).
7. Defendant is either the holder of the debt or was retained by the current holder to collect the debt.

8. On or around January 1, 2007, Plaintiff informed Defendant that Plaintiff had retained an attorney for bankruptcy and provided Plaintiff's attorney's contact information.
9. Despite this notice, Defendant contacted Plaintiff by telephone in or around April 2007.
10. On August 20, 2007, Plaintiff filed a voluntary petition for bankruptcy.
11. Defendant was listed as a creditor in Plaintiff's bankruptcy petition.
12. As described below, Defendant has contacted Plaintiff to collect a debt that was included in Plaintiff's bankruptcy.
13. Despite the above notice, Defendant continued to contact Plaintiff numerous times between September 20, 2007, and October 11, 2007.
14. On or around October 11, 2007, Plaintiff's attorney faxed Defendant a letter providing notice that Plaintiff was represented by an attorney for bankruptcy.
15. Despite this notice, Defendant continued to contact Plaintiff between October 11, 2007 and October 30, 2007.
16. Plaintiff is emotionally distraught and has been compelled to hire counsel to prosecute this action.
17. Defendant has damaged Plaintiff emotionally and mentally and has caused substantial anxiety and stress.
18. Defendant violated the FDCPA.

### **COUNT ONE**

#### **Violation of the Fair Debt Collections Practices Act**

19. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
20. In demanding payment in the amount that it did, Defendant violated 15 U.S.C. §1693e(2) in that it falsely represented the character and amount of the debt.

**COUNT TWO**

**Violation of the Fair Debt Collections Practices Act**

21. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
22. The Defendant violated 15 U.S.C. §1692c in that it contacted Plaintiff notwithstanding the fact that Plaintiff told Defendant that Plaintiff was represented by an attorney.

**COUNT THREE**

**Violation of the Fair Debt Collections Practices Act**

23. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
24. The Defendant violated 15 U.S.C. §1692f in that its actions were unfair and/or unconscionable means to collect a debt.

**JURY DEMAND**

25. Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

26. Plaintiff prays for the following relief:
- a. Judgment against Defendant for actual damages, statutory damages pursuant to 15 U.S.C. §1692k and costs, and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
  - b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Legal Helpers, P.C.

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